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09/740,801	12/21/2000	Valerie Favier	T3264-906761	6156

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EXAMINER

WILLETT, STEPHAN F

ART UNIT	PAPER NUMBER
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2142

DATE MAILED: 07/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/740,801

Applicant(s)

FAVIER ET AL.

Examiner

Stephan F. Willett

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 June 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 and 26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 and 26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

RP

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 1038 and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 11-24, 26 are rejected under 35 U.S.C. 103(a) as being unpatentable Reid et al. with US Patent No. 6,182,226 in view of Antur et al. with Patent Number 6,212,558.

2. As per claim(s) 11,23, Reid discloses a configuration machine (See Column 3 Lines 26-35) including domains (i.e., servers & workstations) having an access control policy and an established configuration machine (i.e., Firewall SECURE ZONE (34)), (See Column 2 Lines 53-67) for grouping the domains) of the system into internal and external protection domains, col. 2, lines 61-64, a firewall ensuring the protection of an internal domain relative to an external

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domains, and means for applying to the firewall in question a rule (i.e., access rules) for controlling access between a source resource and a destination resource only if said source and destination resources belong to the same protection domain or (See Column 5 Lines 32-67 & Column 6 Lines 1-19). Reid teaches firewalls to protect internal domains from external domains/regions, col. 3, lines 8-9 and each domain has internal networks of a subnetwork as "Company Private Net", col. 2, lines 55-56 and external domains as the "Internet", col. 2, lines 55 as defined by an administrator, col. 5, lines 3-5. Reid teaches groups including zones, col. 10, lines 53-54. Reid teaches access control rules with specific scopes, col. 5, lines 53-57 and whether to apply said rules, col. 5, lines 61-63. Reid teaches the invention in the above claim(s) except for explicitly teaching central management or machines. In that Reid operates to generate service requests in a firewalled network, the artisan would have looked to the network firewall arts for details of implementing access controls. In that art, Antur, a related network firewall adapter, teaches "central points of administration for entire networks", col. 3, lines 51-52 in order to access rules. Antur specifically teaches central management, col. 6, lines 47-49. Further, Antur suggests "a central database", col. 8, lines 43-45 will result from implementing his management. The motivation to incorporate central management insures that control is maintained. Thus, it would have been obvious to one of ordinary skill in the art to incorporate central management as taught in Antur into the security system described in the Reid patent because Reid operates with various management systems and Antur suggests that optimization can be obtained with central management. Therefore, by the above rational, the above claim(s) are rejected.

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1. As per claim(s) 12, Reid teaches the claimed invention as described in claim(s) 11 above and furthermore discloses determining the protection domain of the resources by means of firewall network interfaces through which communications pass in order to reach said resources, (See Column 3 Lines 17-30).

2. As per claim(s) 13, Reid teaches the claimed invention as described in claim(s) 11-12 above and furthermore discloses defining zones, (i.e., DMZ), (See Column 3 Lines 1-15) comprising networks or sub-networks, associating the network interfaces of firewalls to which said zones; wherein provides protected access to server to internal user & external entities are connected with an internal or external domain, determining the incoming and outgoing network interfaces, (See Column 4 Lines 49-67 & Column 5 Lines 1-15) of current traffic, analyzing whether said network interfaces are attached to an internal or external domain, and applying the rule for controlling access only if both network interfaces are attached to the same internal domain, and the resources belong to the same protection domain, (See Column 3 Lines 19-40).

3. As per claim(s) 14, Reid teaches the claimed invention as described in claim(s) 11-13 above and furthermore discloses composes groups of objects (i.e., regions) for which the access control policy is identical (i.e., same regions) and the rule for controlling access is applied between each of the resources of a source group and a destination group, (See Column 4 Lines 49-67 & Column 5 Lines 1-15).

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4. As per claim(s) 15, Reid teaches the claimed invention as described in claim(s) 11-14 above and furthermore discloses it composes groups of objects (i.e., regions) for which the access control policy is identical (i.e., same regions) and the rule for controlling access is applied between each of the resources of a source group and a destination group, (See Column 4 Lines 49-67 & Column 5 Lines 1-15).

5. As per claim(s) 16, Reid teaches the claimed invention as described in claim(s) 11-15 above and furthermore discloses composes groups of objects (i.e., regions) for which the access control policy is identical (i.e., same regions) and the rule for controlling access is applied between each of the resources of a source group and a destination group, (See Column 4 Lines 49-67 & Column 5 Lines 1-15).

6. As per claim(s) 17, Reid teaches the claimed invention as described in claim(s) 11-16 above and furthermore discloses characterizing the rule for controlling access with a local or global scope; wherein a local scope is interpreted as rules that are specific to the network the firewall is connected to, such as, "allow or deny terminal nodes" or "decision nodes" or "alerts" where only the specific users are affected to the applied rules; Similarly, global scope rules are rules applied throughout the network such as "filter nodes" where the rule is applied to www connections where www is the entire network; it is therefore the examiners humble request that the applicant read the cited column and line numbers to its entirety to gain full understanding of the rules defined in the reference, applying the rule to the resources in question only if said resources belong to the same protection domain when the scope of the rule is local, and applying

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the rule to all of the resources in question when the scope of the rule is global, (See Column 5 Lines 64-67, Column 6 Lines 1-67, Column 7 Lines 1-59).

7. As per claim(s) 18, Reid teaches the claimed invention as described in claim(s) 11-17 above and furthermore discloses characterizing the rule for controlling access with a local or global scope; wherein a local scope is interpreted as rules that are specific to the network the firewall is connected to, such as, “allow or deny terminal nodes” or “decision nodes” or ‘alerts’ where only the specific users are affected to the applied rules; Similarly, global scope rules are applied throughout the network such as “filter nodes” where the rule is applied to www connections where www is the entire network; it is therefore the examiners humble request that the applicant read the cited column and line numbers to its entirety to gain full understanding of the rules defined in the reference, applying the rule to the resources in question only if said resources belong to the same protection domain when the scope of the rule is local, and applying the rule to all of the resources in question when the scope of the rule is global, (See Column 5 Lines 64-67, Column 6 Lines 1-67, Column 7 Lines 1-59).

8. As per claim(s) 19, Reid teaches the claimed invention as described in claim(s) 11-18 above and furthermore discloses characterizing the rule for controlling access with a local or global scope; wherein a local scope is interpreted as rules that are specific to the network the firewall is connected to, such as, “allow or deny terminal nodes” or “decision nodes” or ‘alerts’ where only the specific users are affected to the applied rules; Similarly, global scope rules are rules applied throughout the network such as “filter nodes” where the rule is applied to www connections where www is the entire network; it is therefore the examiners humble request that

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the applicant read the cited column and line numbers to its entirety to gain full understanding of the rules defined in the reference, applying the rule to the resources in question only if said resources belong to the same protection domain when the scope of the rule is local, and applying the rule to all of the resources in question when the scope of the rule is global, (See Column 5 Lines 64-67, Column 6 Lines 1-67, Column 7 Lines 1-59).

9. As per claim(s) 20, Reid teaches the claimed invention as described in claim(s) 11-19 above and furthermore discloses characterizing the rule for controlling access with a local or global scope; wherein a local scope is interpreted as rules that are specific to the network the firewall is connected to, such as, “allow or deny terminal nodes” or “decision nodes” or “alerts” where only the specific users are affected to the applied rules; Similarly, global scope rules are rules applied throughout the network such as “filter nodes” where the rule is applied to www connections where www is the entire network; it is therefore the examiners humble request that the applicant read the cited column and line numbers to its entirety to gain full understanding of the rules defined in the reference, applying the rule to the resources in question only if said resources belong to the same protection domain when the scope of the rule is local, and applying the rule to all of the resources in question when the scope of the rule is global, (See Column 5 Lines 64-67, Column 6 Lines 1-67, Column 7 Lines 1-59).

10. As per claim(s) 21, Reid teaches the claimed invention as described in claim(s) 11-20 above and furthermore discloses characterizing the rule for controlling access with a local or global scope; wherein a local scope is interpreted as rules that are specific to the network the

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firewall is connected to, such as, “allow or deny terminal nodes” or “decision nodes” or ‘alerts’ where only the specific users are affected to the applied rules; Similarly, global scope rules are rules applied throughout the network such as “filter nodes” where the rule is applied to www connections where www is the entire network; it is therefore the examiners humble request that the applicant read the cited column and line numbers to its entirety to gain full understanding of the rules defined in the reference, applying the rule to the resources in question only if said resources belong to the same protection domain (5) or (6) when the scope of the rule is local, and applying the rule to all of the resources in question when the scope of the rule is global, (See Column 5 Lines 64-67, Column 6 Lines 1-67, Column 7 Lines 1-59).

11. As per claim(s) 22, Reid teaches the claimed invention as described in claim(s) 11-21 above and furthermore discloses characterizing the rule for controlling access with a local or global scope; wherein a local scope is interpreted as rules that are specific to the network the firewall is connected to, such as, “allow or deny terminal nodes” or “decision nodes” or ‘alerts’ where only the specific users are affected to the applied rules; Similarly, global scope rules are rules applied throughout the network such as “filter nodes” where the rule is applied to www connections where www is the entire network; it is therefore the examiners humble request that the applicant read the cited column and line numbers to its entirety to gain full understanding of the rules defined in the reference, applying the rule to the resources in question only if said resources belong to the same protection domain when the scope of the rule is local, and applying the rule to all of the resources in question when the scope of the rule is global, (See Column 5 Lines 64-67, Column 6 Lines 1-67, Column 7 Lines 1-59).

12. As per claim(s) 24, Reid teaches the claimed invention as described in claim(s) 23 above and furthermore discloses it further comprises a graphical interface from which an administrator can enter the domains and the access control rules, (See Column 7 Lines 8-39).

3. As per claim(s) 26, Reid teaches the claimed invention as described in claim(s) 23-25 above and furthermore discloses the graphical interface allows the administrator to define a local or global scope for the access control rule, wherein a local scope is interpreted as rules that are specific to the network the firewall is connected to, such as, “allow or deny terminal nodes” or “decision nodes” or ‘alerts” where only the specific users are affected to the applied rules; Similarly, global scope rules are rules applied throughout the network such as “filter nodes” where the rule is applied to www connections where www is the entire network; it is therefore the examiners humble request that the applicant read the cited column and line numbers to its entirety to gain full understanding of the rules defined in the reference, and in that the machine applies the rule to the resources in question only if said resources belong to the same protection domain when the scope of the rule is local, and applies the rule to all of the resources in question when the scope of the rule is global, (See Column 5 Lines 64-67, Column 6 Lines 1-67, Column 7 Lines 1-59).

Response to Amendment

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1. Based on the new grounds for rejection the applicants arguments are moot. The broad claim language used is interpreted on its face and based on this interpretation the claims have been rejected.
2. The limited structure claimed, without more functional language, reads on the references provided. Thus, Applicant's arguments can not be held as persuasive regarding patentability.
3. Applicant suggests "the claims are clearly distinguishable from the references of record" Paper Filed 6/3/05, Page 8, lines 20-21. However, Reid teaches "this example shows that the Internal region is hidden from all others", col. 17, lines 22-23. The references should not be read in a vacuum, the teachings are not mutually exclusive, and must be taken in context of what was reasonable based on the subject matter as a whole as would have been understood at the time the invention was made to a person having ordinary skill in the art to which the subject matter pertains. The descriptions in the references are not obfuscated by the numerous other suggested usages of said description in the reference. In addition, implicitly, impliedly and inferentially, various network configurations are taught and language identical or verbatim is not required in an obvious rejection. Note that reasonable "inferences", and "common sense" may be considered in formulating rejections for obviousness. Specifically, *In re Preda*, 401 F.2d 825, 159 USPQ 342, 344 (CCPA 1968) states "in considering the disclosure of a reference, it is proper to take into account not only specific teachings of the reference but also the inferences which one skilled in the art would reasonably be expected to draw therefrom." Also, *In re Bozek*, 416 F.2d 738, 163 USPQ 545, 549 (CCPA 1969) states that obviousness may be concluded from "common knowledge and common sense of the person of ordinary skill in the art without any specific hint or suggestion in a particular reference". Additionally, see *In re*

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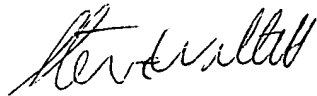
Gaukerke, 24 CCPA 725, 86 F.2d 330, 31 USPQ 330, 333 (CCPA 1936), and *In re Libby*, 45 CCPA 944, 255 F.2d 412, 118 USPQ 94, 96 (CCPA 1958), and *In re Jacoby*, 309 F.2d 738, 125 USPQ 317, 319 (CCPA 1962), and *In re Wiggins*, 488 F.2d 538, 543, 1979 USPQ 421, 424 (CCPA 1973). Thus, Applicant's arguments can not be held as persuasive regarding patentability.

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephan Willett whose telephone number is (571)272-3890. The examiner can normally be reached Monday through Friday from 8:00 AM to 6:00 PM.

5. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia, can be reached on (571)272-3880. The fax phone number for the organization where this application or proceeding is assigned is (571)272-0044.

6. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571)272-2100.



Stephan Willett

Patent Examiner

July 8, 2005